Service Date: February 14, 1996

FINAL ORDER NO. 6392

DEPARTMENT OF PUBLIC SERVICE REGULATION MONTANA PUBLIC SERVICE COMMISSION

1701 Prospect Avenue, P.O. Box 202601 Helena, Montana 59620-2601

IN THE MATTER OF Hall Transit Charter)	
Service, Inc., Great Falls, Montana, application) Docket No. T-95.78.PCN
for a Montana Intrastate Certificate)	Order No. 6392
of Public Convenience and Necessity.)	

The Commission, being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

- 1. On November 15, 1995, Hall Transit Charter Service, Inc., 2620 Upper River Road, Great Falls, MT 59405, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing transportation of the following:
 - <u>Class B</u> Passengers in charter service from Blaine, Cascade, Chouteau, Fergus, Flathead, Glacier, Hill, Judith Basin, Lewis & Clark, Liberty, Pondera, Teton, and Toole counties to any point in the State of Montana and return.
 - Limitations: (1) The hiring of charter service must be for the entire vehicle and solicitation of individual passengers to constitute a load is prohibited. (2) The charter trip must originate in the counties authorized by this authority. (3) Transportation originating in or within a forty (40) mile radius of City of Helena is prohibited.
- In accordance with Section 69-23-321, MCA, this matter was noticed to the public December
 That notice said in pertinent part:

If no written protests are received by December 26, 1995, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

- 3. Protests were filed by G & L Transit, Inc., Helena, Montana and P.S. Charter Montana, Inc., Chinook, Montana.
- 4. The docket was noticed for public hearing on January 23, 1996, with hearing scheduled for February 14, 1996, in Great Falls, Montana. Prior to the hearing date, applicant restrictively amended the

application. Protests were subsequently withdrawn. Stipulations between applicant and Protestants are incorporated into the Order granting authority herein.

5. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

- 1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.
- 2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.
 - 3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

<u>ORDER</u>

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on the 12th day of February, 1996, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-95.78.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of Hall Transit Charter Service, Inc., Great Falls, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

<u>Class B</u> - Passengers in charter service from Cascade, Chouteau, Fergus, Flathead, Glacier, Hill, Judith Basin, Lewis & Clark, Liberty, Pondera, Teton, and Toole counties to any point in the State of Montana and return.

Limitations: (1) The hiring of charter service must be for the entire vehicle and solicitation of individual passengers to constitute a load is prohibited. (2) The charter trip must originate in the counties authorized by this authority. (3) Transportation within Lewis & Clark County is restricted to that which originates in and returns to Augusta, Montana.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 12th day of February, 1996, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

NANCY N	McCAFFREE, Chair
DAVE FI	SHER, Vice Chair
BOB ANI	DERSON, Commissioner
DANNY (OBERG, Commissioner
OB ROV	WE, Commissioner

ATTEST:

Kathlene M. Anderson Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.